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FILED/ACCEPTED

OCT - 9 2007

October 9, 2007

Federal Communications Commission
Office of the Secretary

Ex Parte
VIA HAND DELIVERY
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

ORIGINAL

Re: *Petitions of AT&T Inc., BellSouth Corporation, the Embarq Local Operating Companies, and Qwest Under 47 U.S.C. § 160(c) for Forbearance from Title II and Computer Inquiry Rules with Respect to Broadband Services, WC Docket Nos. 06-125 & 06-147; Petition of the Verizon Telephone Companies for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Their Broadband Services, WC Docket No. 04-440*

Dear Ms. Dortch:

Verizon submits this letter in response to recent filings by Time Warner Telecom,¹ BT Americas,² and other commenters in these proceedings and to demonstrate further that there is extensive competition nationwide to provide to enterprise customers the stand-alone broadband transmission services that are the subject of the pending petitions for forbearance in WC Docket Nos. 06-125 and 06-147. These are the same services for which Verizon received flexibility to provide customized, broadband offerings to meet the particularized needs of its customers in March 2006, when its petition in WC Docket No. 04-440 was granted by operation of law. In

¹ See, e.g., Letter from Thomas Jones, Willkie Farr & Gallagher LLP, to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 06-125 *et al.* Attach. 1 at 16-20 (filed Sept. 20, 2007).

² See Letter from Aryeh Friedman, BT Americas Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket Nos. 06-125 *et al.* (filed Oct. 5, 2007).

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particular, Verizon focuses here on the Ethernet services that have been the particular focus of Time Warner Telecom's filings in these proceedings.

A recent analyst report, which Time Warner Telecom has described as "provid[ing] in-depth, accurate, defensible statistics and analysis,"³ confirms the extensive competition, predominantly from facilities-based providers, to provide Ethernet services to enterprise customers. For example, the report shows that AT&T, which held the top position as of mid-year 2007 with less than a 20 percent share of Ethernet ports nationwide, saw its share drop by almost 3 percentage points in just six months, despite adding BellSouth, and by more than 7 percentage points in the past year.⁴ Qwest similarly saw its share of Ethernet ports nationwide fall during that same six-month period, losing 1.5 percentage points.⁵ The third and fourth place providers — Time Warner Telecom and Cox Business — on the other hand are making rapid and significant increases in their share of Ethernet ports nationwide. Time Warner Telecom, for example, gained three percentage points of market share in the past year. And Cox Business, which is the "undisputed cable leader in Ethernet port sales" and "deliver[s] Ethernet services" over its own "hybrid fiber coax" network,⁶ saw its share of Ethernet ports grow by at least four percentage points in the past six-months.⁷ Indeed, over the past year, both Time Warner Telecom and Cox Business have grown *faster* than Verizon, which at less than 16 percent, has the second largest share of Ethernet ports nationwide.⁸

Moreover, in the past year, competition for Ethernet services has continued to grow and become ever more diverse. Over that period, at least *fifteen* additional providers of Ethernet ports to enterprise customers — including companies such as Comcast Business, FiberTower, and NTELOS — have had sufficient marketplace success to be included in the analyst report. In fact, the number of companies in the "Other" category now exceeds *forty* providers and "Other" is the largest category in the report, with a 20.5 percent share — nearly double the share for the

³ Time Warner Telecom Grows Ethernet Market Share, http://www.twtelecom.com/Documents/Announcements/News/2007/VSQ_TWTC_Mid_year07Ethernet.pdf ("TWT Grows Ethernet Market Share").

⁴ Compare Vertical Systems Group, *Mid-Year 2007 Market Share Results for U.S. Business Ethernet Services*, <http://www.verticalsystems.com/prarticles/stat-flash-0807-ethernetshare.html> (reporting that AT&T and BellSouth, at year-end 2006, had 13.6 percent and 8.5 percent of nationwide Ethernet port shares, but that the combined company had only 19.5 percent of those ports by mid-year 2007 — a drop of 2.6 percentage points) ("Vertical Systems Report Mid-Year 2007") with Vertical Systems Group, *Mid-2006 Market Share Results for U.S. Business Ethernet Services*, <http://www.verticalsystems.com/prarticles/stat-flash-0906-mid2006-ethshare.html> (reporting that AT&T and BellSouth collectively had 26.7 percent of nationwide Ethernet points in mid-year 2006) ("Vertical Systems Report Mid-Year 2006").

⁵ Compare *id.* with Vertical Systems Group, *Year-End 2006 Market Share Results for U.S. Business Ethernet Services*, <http://www.verticalsystems.com/prarticles/stat-flash-ye2006-ethernetshare.html> ("Vertical Systems Report Year-End 2006").

⁶ Carol Wilson, "Carrier Ethernet Cable Style," *Telephony's Guide to carrierethernet* at 14-18 (Sept. 2007); Cox Business Services, *Cox Business Marks Industry Milestone as First MSO To Reach Top Tier of U.S. Business Ethernet Providers*, <http://www.coxbusiness.com/pressroom/pressreleases/2007-0828.html>.

⁷ Compare Vertical Systems Report Mid-Year 2007 (reporting that Cox Business has 8.9 percent of Ethernet ports nationwide) with Vertical Systems Report Year-End 2006 (reporting that Cox Business had less than 5 percent of Ethernet ports nationwide).

⁸ Compare Vertical Systems Report Mid-Year 2007 with Vertical Systems Report Mid-Year 2006

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"Other" category 12 months earlier.⁹ Attached to this letter as Exhibit 1 is a sampling of these providers' Ethernet offerings. In addition, Cablevision, which was not included in the mid-2007 list of "Other" companies, announced in May 2007 the introduction of "the first-ever carrier-class voice service delivered over Metro Ethernet by a cable MSO," delivered over Cablevision's fiber network.¹⁰

Verizon's experience over the past 18 months confirms that the market for the high-end, broadband services at issue in the pending petitions works, and that outdated common carriage regulation is unnecessary to protect the sophisticated customers who purchase such services. In particular, Verizon's provision of Ethernet services through contract arrangements with enterprise customers and other carriers provides concrete experience that the Commission must consider when it reviews the pending petitions and that should lead it to extend to all competing providers the same relief Verizon received in March 2006, so that they too will have the flexibility to provide customized and innovative broadband offerings to meet the particularized needs of their customers.¹¹ In particular, since March 2006, Verizon currently has entered wholesale agreements for Ethernet services with nearly 20 carrier customers — including carriers of all sizes, large and small¹² — which is in addition to the agreements it has entered into with more than 75 end-user customers. Those agreements confirm that neither common carrier nor *Computer Inquiry* regulation is necessary to protect consumers, and that forbearance is plainly in the public interest because the market for these services works.

Finally, as with other enterprise broadband services, in addition to using their own facilities and those of third parties like Verizon, competitors can and do provision Ethernet service using TDM-based special access as a wholesale input to their own enterprise broadband services.¹³ Indeed, the "notion that carrier Ethernet services were limited to fiber has been disposed of thanks to copper bonding technologies."¹⁴ Ceterus Networks, for example, offers a "Universal Transport System" that enables Ethernet service — in 1 Megabit increments and up to multiple Gigabit rates — over existing TDM circuits.¹⁵ Although Time Warner Telecom and

⁹ Compare *Vertical Systems Report Mid-Year 2007* with *Vertical Systems Report Mid-Year 2006*.

¹⁰ See Optimum Lightpath, *Optimum Lightpath Launches Voice Over Metro Ethernet Service*, <http://www.optimumlightpath.com/Interior187-10.html>.

¹¹ See, e.g., *BellSouth Telecomms., Inc. v. FCC*, 469 F.3d 1052, 1060 (D.C. Cir. 2006) (holding that agencies have "no license to ignore the past when the past relates directly to the question at issue" and provides "data against which to test the [relevant] proposition[s]" on which the agency's decision is based).

¹² See Exhibit 3 (listing those customers).

¹³ See, e.g., Memorandum Opinion and Order, *Petition for Waiver of Pricing Flexibility Rules for Fast Packet Services*, 20 FCC Rcd 16840, ¶¶ 10-11 (2005); Order on Reconsideration, *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, 19 FCC Rcd 20293, ¶¶ 20-21 (2004); Memorandum Opinion and Order, *Petition for Forbearance of the Verizon Telephone Companies Pursuant to 47 U.S.C. § 160(c)*, 19 FCC Rcd 21496 (2004), *aff'd*, *EarthLink, Inc. v. FCC*, 462 F.3d 1 (D.C. Cir. 2006).

¹⁴ Ed Gubbins, "Ether Way," *Telephony's Guide to carrierethernet* at 3 (Sept. 2007).

¹⁵ See Ceterus Networks, *Ethernet and Multiservice Delivery*, <http://www.ceterusnetworks.com/solutions/ethernet-service-delivery.php>; Ceterus Networks, *The Universal Transport System™ for Metro Ethernet*, http://www.ceterusnetworks.com/documents/UTS_Overview.pdf (attached hereto as Exhibit 2).

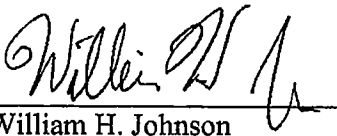
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BT Americas continue to assert that Ethernet over TDM loops is impracticable, the commercial offerings by carriers such as Ceterus and Met-Net¹⁶ say otherwise. And as the Commission knows, neither the pending forbearance petitions nor Verizon's petition that was granted more than 18 months ago covered traditional TDM-based special access services, such as DS1s and DS3s, that can be used as inputs to enterprise broadband services like Ethernet services.

For these reasons, and those Verizon and others have set forth previously, the Commission should grant the pending forbearance petitions and allow the petitioners and any other providers the full relief requested from common carriage and *Computer Inquiry* regulation for the sophisticated broadband services at issue here.

Sincerely,


William H. Johnson

¹⁶ See Met-Net Communications, *Met-Net Scalable Bandwidth*, <http://www.met-net.com/services/copper>.

EXHIBIT 1



AboveNet

AboveNet Metro Ethernet

Powerful, Secure, Private

About AboveNet

AboveNet, Inc. provides fiber connectivity solutions for businesses and carriers. Its private optical network delivers key network and IP services in and between 14 top U.S. metro markets and London. AboveNet's network is widely used in demanding markets such as financial services, media, health care, retail and government.

Markets

Service areas include:

- New York-New Jersey
- Boston
- Philadelphia
- Baltimore
- Washington, D.C.
- Atlanta
- Chicago
- Dallas
- Houston
- Phoenix
- Los Angeles
- San Francisco Bay Area
- Portland
- Seattle
- and the United Kingdom

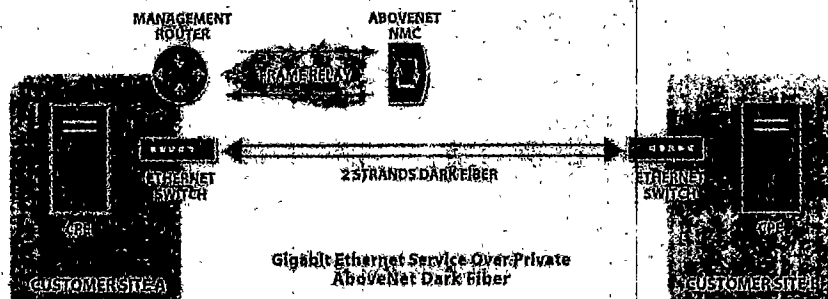
Premium Networking Power.

The avalanche of data born of the technology revolution occurring inside corporate LANs is growing daily. New technology is standardizing on Gigabit Ethernet that delivers premium networking power directly to end user PCs. 100 MB Fast Ethernet just simply isn't sufficient to support demanding enterprise applications like multimedia file transfer, video conferencing, storage networking solutions, and e-business administrative and support operations across your LAN.

The challenge explodes when the need to connect islands of LANs arises throughout a metro area – reaching more departments and end users. Current alternatives for connecting locations with "high bandwidth" DS3s, or ATM, or Frame Relay services are inadequate, inflexible and don't scale. There is no room to support growth or the demands of the ever changing business climate. By combining private optical fiber with the versatility of Ethernet, AboveNet has created a service that your IT department can use to solve critical bandwidth issues connecting your Enterprise metro locations.

Product Description

Exclusively dedicated metro fiber connecting customer locations providing the ultimate in physical security and scalable bandwidth up to 1 Gig in an elegant architecture designed to provide unparalleled performance.



A simple, Cost effective business tool for enabling ..

- Fast deployment of Ethernet LAN extensions between on-net buildings
- Ease of network and system integration of new locations and acquired businesses
- Simple and incremental addition of future business applications
- Network consolidation - elimination of duplicate services
- Reduces number of network connections per customer location
- Unification of multiple applications across a single network
- Fewer contracts, fewer providers, better control



AboveNet

AboveNet Metro Ethernet

Powerful, Secure, Private

Extend the capabilities of your LAN to include:

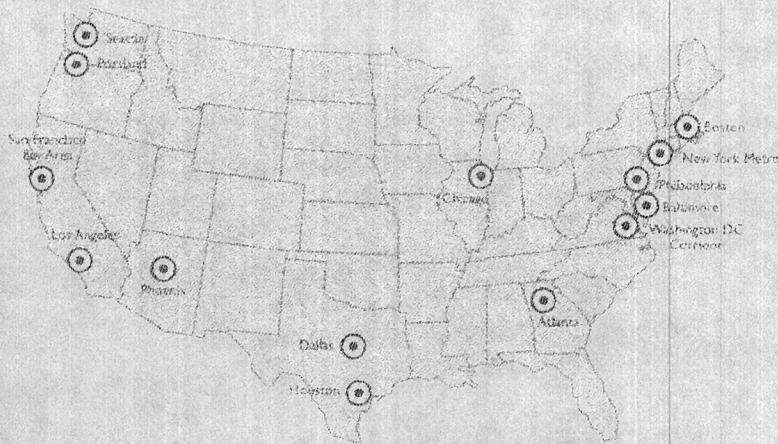
1. Voice Over IP
2. Storage Applications
3. Multimedia File Transfer
4. Video Conferencing
5. e-Business Operation

Features and Benefits

- Private Optical Network, exclusively dedicated metro fiber between customer locations
- Plug and Play provisioning, fast deployment between on-net buildings
- Ease of network and system integration of new locations and acquired businesses
- Network consolidation - elimination of duplicate services, cost saving common infrastructure
- 100% customer control
- Secure and Scalable to 1 Gig
- Supports customer VLANs
- 24x7 Managed CPE

Metro Ethernet Capabilities

- Voice over IP
- Storage
- Multimedia
- Video
- E-Business
- Finance
- Server Farms
- CAD-CAM
- Content
- Bio Tech
- Government
- Education
- Legal
- Health Care
- Public Safety



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www.above.net

Service Management & SLA

- AboveNet will monitor the service using an out-of-band management channel (frame relay circuit) and management router installed at the customer premise
- AboveNet's NOC is 7x24x365, located in Herndon Virginia.
- 2 hour response/ 4 hour MTTR with outage credits applicable for time out of service

**ALPHEUS**[Home](#) [Enterprise Solutions](#) [Carrier Solutions](#) [News](#) [About Us](#) [Contact Us](#)You are here: [Home](#) » [News](#) » [Alpheus Launches New Ethernet Products](#)**ALPHEUS COMMUNICATIONS IN THE NEWS****ALPHEUS LAUNCHES NEW ETHERNET PRODUCTS****Products tailored to needs of both enterprise and carrier customers**

HOUSTON, TEXAS, October 3, 2007—Alpheus Communications, operator of datacenters and an extensive fiber optic network across Metro Texas, announced today that it has begun selling new product solutions utilizing carrier-class Ethernet technologies. These solutions will allow Alpheus customers to bypass more expensive and slower legacy network protocols used for local access.

To help customers lower operating costs, enhance scalability, and develop flexible network options, Alpheus deployed a core Multi Protocol Label Switching ("MPLS") network that is redundant and carrier grade. To compliment this network, Alpheus developed a last-mile Ethernet tool kit that utilizes Ethernet over copper, Ethernet over NxT1 and Ethernet over wireless technologies. Alpheus worked with leading vendors to develop these products, specifically, Foundry Networks for the MPLS core, Ceterus Networks for NxT1, Hatteras Networks for Ethernet over Copper, and DragonWave for Ethernet over wireless.

"We utilize the inherent speed and versatility of Ethernet to meet the needs of our enterprise and carrier customers alike," said Francisco Maella, Chief Operating Officer of Alpheus. Ethernet addresses a wide range of Layer 2 networking needs, including point-to-point, point-to-multipoint, and any-to-any Wide Area Network ("WAN") connectivity.

Today's IT managers are turning to Ethernet as a platform for the convergence of Internet, data, voice and video. Ethernet is also being widely adopted as the transport architecture of choice. Maella continued, "Ethernet has the power to span metropolitan and regional footprints with highly scalable solutions, removing the longstanding bottleneck between the local area network and the wide area network."

For more information, visit www.alpheuscommunications.com.

About Alpheus Communications

Alpheus provides DS1 through OC192 connectivity, Gigabit Ethernet and managed waves across a competitive, carrier-grade, deep metro Texas fiber network, with facilities in Houston, San Antonio, Dallas, Fort Worth, Austin & Corpus Christi. We offer colocation, data center and DIA services with cross connection to most wireless providers, AT&T and major Competitive Access Providers.

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ABOUT AFS

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Jun 14, 2007

American Fiber Systems Deploys Atrica's Carrier Ethernet Platform

Operator Leverages Atrica Platform to Change the Competitive Carrier Business Model with Expanded Service Offerings and Improved Margins; Uniquely Offers Comprehensive, 50ms-Protected, SLA-Backed Ethernet Service Portfolio to Carriers and Large Enterprises

Santa Clara, CA – Under Embargo Until June 14, 2007 – American Fiber Systems (AFS), a provider of metropolitan fiber optic network infrastructure and wholesale transport services, has deployed Atrica's Carrier Ethernet platform to cost-effectively meet the burgeoning demand for advanced Ethernet Transport Services from carriers and large enterprises in its target markets. With over 1,200,000 miles of its own high-capacity, high-bandwidth metropolitan fiber optic cable, AFS provides Ethernet, wavelength, and TDM private line services, as well as dark fiber infrastructure, to operators and large enterprises in nine U.S. metro markets, including Atlanta, Cleveland, Kansas City, Minneapolis/St. Paul, Nashville, Salt Lake City, Las Vegas, Reno, and Boise.

AFS wanted an infrastructure solution that would give it clear a competitive advantage in its target markets. After a thorough evaluation of its options, AFS selected the Atrica Carrier Ethernet platform for its ability to deliver end-to-end 50ms protection, flexible bandwidths for both Committed Information Rate (CIR) and Excess Information Rate (EIR) services, and differentiated service offerings based on Quality of Service (QoS). AFS was also impressed with the

Atrica solution's sophisticated, easy to use, end-to-end provisioning and network management process as well as its guaranteed Service Level Agreements (SLAs), rapid time-to-service capabilities, and the reduced CapEx and OpEx it offers.

Supporting point-to-point, point-to-multipoint, and multipoint-to-multipoint, the carrier-class Atrica infrastructure enables AFS to deliver a comprehensive set of Ethernet Transport Services, including Ethernet Private Line Service (EPL – a dedicated, point-to-point service with capacity from 50 Mb to 1 Gb, in increments of 1 Mb), Ethernet Virtual Private Line Service (EVPL – which also provides point-to-point connectivity. A switched service, EVPL allows management of bandwidth, traffic handling characteristics and route destination), and Ethernet Virtual LAN Service (EVLAN – like virtual private line, only providing multi-point connectivity. This switched service enables management of bandwidth, traffic handling characteristics and route destination.). With the flexibility of the Atrica Carrier Ethernet platform, AFS can offer different SLAs based on particular Enterprise applications.

"This agreement is an illustration of how leading North American competitive carriers are embracing Carrier Ethernet technology as a proven method for expanding service portfolios and improving margins," said Eve Griliches, Program Manager for IDC. "Key vertical markets such as Financial Investments, Research and Education, Healthcare and large enterprises are looking to Ethernet services for their mission-critical applications. Competitive carriers are responding to these demands with innovative service offerings that deliver carrier-class protection and a range of QoS and SLA options over Ethernet."

AFS has deployed Atrica's full carrier-class Carrier Ethernet product suite, including the A-8100 Carrier Ethernet Core Switch, A-4100 Carrier Ethernet Aggregation Switch, the A-2140 Carrier Ethernet Edge Switch, and the A-100, A-210, and A-1180 Carrier Ethernet Demarcation devices, as well as the Atrica Service Platform for Ethernet Networks (ASPENTM), an integrated service provisioning and management system.

"With Atrica's Carrier Ethernet platform, we are cost-effectively bringing Ethernet to the WAN, and are giving our customers highly scalable, highly reliable, easy to understand, flexible Ethernet Transport Services with guaranteed SLAs and a variety of QoS levels," said Dave Rusin, Founder and CEO of AFS. "In Atrica, we found a partner whose customer service mirrored our own – a company committed to working closely with us to enable not only our success, but the success of our customers."

"The market for Carrier Ethernet has definitely arrived," said Vivek Ragavan, president and CEO of Atrica Inc.

"Forward-thinking competitive carriers are embracing Carrier Ethernet as a tool for securing market share with unique, differentiated services. We are proud to be helping a market innovator such as AFS expand its success with a broad line of advanced Ethernet Transport Services."

About American Fiber Systems

American Fiber Systems provides metropolitan fiber optic network infrastructure and wholesale transport services to carriers and large enterprises. AFS enables its customers to easily and reliably connect to a city's most important points of communications presence, including ILEC central offices and wire centers; CLEC PoPs; Internet Service Provider (ISP) and data center locations; Inter-exchange "carrier hotels;" wireless providers and cable company head ends; and Fortune 1000 companies. AFS has deployed over 1,200,000 miles of high-capacity, high-bandwidth metropolitan fiber optic cable since 2000 in several cities, including Atlanta, GA, Boise, ID, Carson City, NV, Cleveland, OH; Jacksonville, FL, Kansas City KS/MO; Las Vegas, NV, Lenexa, KS, Marietta, GA, Minneapolis, MN, Mobile, AL, Norcross, GA, St. Paul, MN, Nashville, TN, Overland Park, KS, Panama City, FL, Pensacola, FL, Reno, NV, Salt Lake City, UT, and Tallahassee, FL. AFS has over 500 capacity enabled on-net buildings and supports an addressable market teledensity of over \$9 billion in annualized telecommunications services. American Fiber Systems is a privately held venture-backed company. For more information, please visit our website: www.americanfibersystems.com.

About Atrica

A technology visionary and industry pioneer, Atrica provides a full range of Carrier Ethernet transport solutions to service providers delivering Metro Ethernet services. Atrica's Carrier Ethernet product suite combines the benefits of Ethernet technology – including its low-cost, proven scalability, ease of management, and ubiquity in the enterprise market – with innovations in traffic engineering, service management and scalability to meet the stringent demands of next-generation transport networks. With Atrica's Carrier Ethernet solutions, service providers can deliver the ultimate broadband triple play services experience to their business and residential customers over a single universal transport network, with guaranteed SLAs, sub-50ms network-wide resiliency, TDM traffic support, and point-and-click, centralized OAM&P. Privately held, Atrica has received funding from world-class venture capital firms, industry leaders, and eight global service providers. Based in Santa Clara, Calif., Atrica has R&D facilities in Israel and the United States and business development and sales offices throughout the United States, Europe, and Asia Pacific. For more information, visit Atrica on the Web at www.atrica.com.

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Forget everything you know about building business data networks. Forget inflated telecom pricing, **forget settling for less**. Introducing **Arialink Metro Area Ethernet (MAN) Services** - ultra high speed optical Ethernet connectivity solutions, priced within your reach.

Arialink Metro Ethernet products offer your business native services from **10 Megabits to 40 Gigabits** between Arialink's Ethernet Backbone and your Local Area Network (LAN), whether they're across town or across the state. Improve interconnectivity between your office locations, your business partners and major knowledge centers - **a staggering improvement in service** at about the price you're paying for a T1 line. Call Arialink today and challenge us to prove it - **we're serious about evolving business metro networking**.

Solutions Matrix

Benefit	Details	Speeds
Arialink is Faster	Connecting your business locations at native Ethernet speeds, from 1 Megabit to 40 Gigabits means connectivity between offices or business partners across town rival the connectivity speeds between offices down the hall.	Up to 40 Gigabit/s
Arialink is Scalable	Speeds between all locations are scalable "on-demand" - literally a click on a web page is all it takes to scale services between nodes on the network. With capacities between 1 Meg and 40 Gig, the network is finally designed to facilitate your business growth.	Start at 1 Megabit/s, Grow to 40 Gigabit/s, on demand
Arialink is Simpler	All you need to connect to the service is an Ethernet port. Literally eliminate racks of complicated and unnecessary equipment serving no purpose other than converting phone company technology into an Ethernet port you can use.	We give you an Ethernet port - it's that simple!
Arialink is Optimized for Business Data	Business networks require Quality of Service levels, packet classification, guaranteed latencies and throughput - all this and more is standard with Arialink Metro Ethernet solutions. Best of all, the features are standard without requiring your investment in expensive equipment upgrades.	Quality of Service, Class of Service, real-time monitoring and reporting
Arialink is Connected	Arialink Metro Ethernet is already connected to many major enterprise customers, knowledge centers (such as universities and schools) and most major telecommunications carriers. Connect to business partners, training programs, video conferencing - all with the speed and efficiency of native Ethernet. Virtual connections between Arialink MAN customers may be established by customers dynamically and nearly on-demand.	Interconnect with other Arialink ethernet customers without no further equipment or leased lines.

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We've got you covered...
Arialink offers a full suite of Internet products including Wireless, DSL, T1, DS3 or Gigabit fiber.

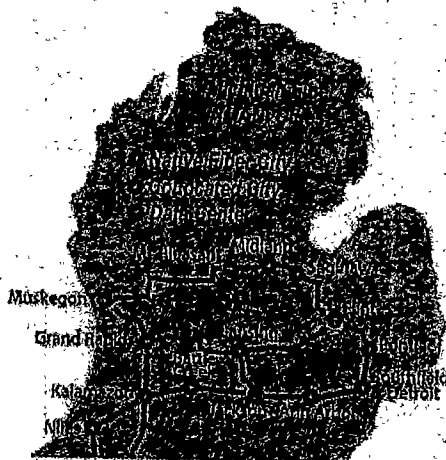
Call today to find the best solution for your business
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MAN Market Availability

"Native" Cities refer to locations where Arialink has built or owns fiber optic networks capable of delivering native Ethernet services to customers today. We are always expanding our network to include new cities. Cities where Arialink is currently offering Metro Ethernet service include the following: **Alma, Corunna, Grand Rapids, Flint, Jackson, Lansing, Owosso, Muskegon, Mt. Pleasant, and St. Louis.**

"Collocated" Cities refers to locations where Arialink is currently offering services utilizing existing Telecommunications infrastructure, converted for Arialink MAN and capable of delivering native Ethernet services today.



Benefits for Education

Arialink has a strong expertise with inter networking educational users and the region's major knowledge centers. By connecting with the Arialink network, whether its native Optical Ethernet or traditional T1/DSL products, your interconnectivity between peers in major knowledge centers increases dramatically in speed and quality. Educational customers, such as School Districts or Higher Ed utilizing will have a direct path to the educational content offered by our partner customers. By avoiding the Internet and interconnecting between sites using native ethernet, you reduce bandwidth costs, dramatically improve speeds and quality of service.

Call an Arialink Business representative for more information how our Metro Area Networking services can help educational customers improve services and save cost. Call today! 517-492-1350.

Some of our connected knowledge centers and major educational consumers:

- Michigan Virtual University (MVU)
- Michigan Virtual High School (MVHS)
- Michigan's Freedom to Learn Program
- Lansing Community College
- Lansing Public Schools (43 sites)
- East Lansing Public Schools
- City of Lansing
- City of East Lansing
- Haslett Public Schools
- and many more ...

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Contact: Kena Lewis

Phone: 407.210.3177

Kena.Lewis@mybrighthouse.com

FOR IMMEDIATE RELEASE

Bright House Networks Announces Enhanced Business Solutions Product Line

(October 24, 2006 -- Orlando, FL) -- Bright House Networks today introduced its new commercial service line designed to benefit both large and small businesses. The new service, dubbed Bright House Networks Business Solutions, features significant enhancements intended to make life easier for business customers.

Understanding that different size businesses have vastly different needs, Bright House Networks Business Solutions includes Enterprise Services, which is designed for large and data-intensive organizations. Enterprise Services incorporates the company's full suite of technology and includes Metro Ethernet, managed networks, data protection services and direct Internet access via fiber.

The other area of focus is Small Business Services, structured to meet the unique needs of home-based, small and mid-sized businesses. Small Business Services introduces value packages that allow business customers access to such services as user-level security and automatic remote backup which are included with their broadband service without additional cost.

Bright House Networks Business Solutions also provides local support experts who understand how businesses strategically use broadband services to drive success.

"Enhancing our services to meet the changing needs of our business customers reinforces our long-term commitment to our brand promise of making life easier," said John Rigsby, president of Bright House Networks Florida Group office. "We're confident that with Business Solutions, we'll be recognized as the best business broadband provider in the market."

The changes do not affect Bright House Networks residential Internet service, which will continue to be offered under the Road Runner brand.

About Bright House Networks

Bright House Networks is the nation's sixth largest MSO with over 2 million customers in several large markets including Bakersfield, California; Birmingham, Alabama; Detroit, Michigan; Indianapolis, Indiana; Orlando, Florida (Central Florida Division) and Tampa Bay, Florida along with several other smaller systems in Alabama and the Florida Panhandle. The high-growth Tampa/Central Florida markets are contiguous and form one of the country's largest cable clusters.

Bright House Networks customers have Digital Phone, Video on Demand (VOD), Subscription Video on Demand (SVOD) and the immensely popular, Digital Video Recorders (DVR) available to them. The company's Florida operations currently deliver nearly 300 channels to customers and were among the first in the country to offer High Definition Programming. Since its introduction, High Definition Programming has achieved impressive acceptance with Bright House Networks customers who are equipped to receive the signals.

In July 2006, Bright House Networks ranked "Highest in Residential All-Distance Customer Satisfaction in the Southeast Region," according to the prestigious J.D. Power and Associates 2006 Residential All-Distance Telephone Customer Satisfaction StudySM. The southeast region consists of nine states including Florida and Alabama. Just over a month later, J.D. Power and Associates 2006 Residential Cable/Satellite TV Customer Satisfaction StudySM found that Bright House Networks ranked "Highest in Customer Satisfaction Among Cable/Satellite Television Subscribers in the South Region," a region that consists of 14 states, including Florida and Alabama.

Exceptional customer service is the company's cornerstone of its business and top priority across all operating units. Bright House Networks local Customer Care is available 24 hours per day, seven days per week, including holidays. Public affairs, social responsibility and community involvement continue as major initiatives for the company as an ongoing commitment to the families and communities Bright House Networks serves. This includes long-term commitments to education and to what matters in the lives of Bright House Networks communities.

Bright House Networks also owns and operates two 24-hour local news operations; Central Florida News 13, News 13 Weather NOW, Central Florida on Demand, and cfnews13.com serving the Orlando area, and serving Tampa; Bay News 9, Bay News 9 En Español, Travel Weather Now, Tampa Bay on Demand and Baynews9.com

###

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Products and Services

Business Bundle

High-Speed Internet

Data Networking

- Optical Ethernet
- Optical Transport

Telephone

Video

Music

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Charter Business™ Optical Ethernet

Leap Tall Buildings in a Single Ethernet

Our Charter Business™ Optical Ethernet service allows ultra-fast Ethernet connectivity between two or more sites (point-to-point or point-to-multipoint) at speeds from 1 to 100 Mbps and even up to 1 Gbps in some areas. It's ideal for connecting remote offices for large file, client, and application sharing. And our services are extremely cost competitive because they can be combined over a single fiber-optic wire so that you pay for only one connection.

[Click here to contact a Charter Business Account Executive](#)

The gold standard in reliability

Charter Business Optical Ethernet offers redundant fiber connections to your location and a low variation in network performance. Additionally, this service preserves your settings over our network ensuring that traffic from different users is securely separated and uniquely identified.

Our powerful network makes scaling up effortless

Traditional services jump from 1.5 Mbps to 45 Mbps with nothing in between. Charter Business offers networking speeds that are defined by your needs, not the size and cost limitations of T1 and T3 circuits. With our solutions, you get and pay for only the bandwidth you need while retaining the ability to quickly scale up.

Count on us for dedicated service and support

Charter Business Performance Center staff proactively monitor fiber-based network performance, and technicians are deployed in communities across the country to ensure a quick response to any problem that may arise.

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Dedicated Internet Access

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Long Haul Private Line Access
Metro Private Line Access
Metro Ethernet Access

Voice Services
Business Line Service
Custom T
ISDN - PRI
Trunks

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Metro Ethernet Access

Ultra Ethernet

Ethernet has become the ubiquitous LAN technology for enterprises. The challenge has been when you need to extend beyond your network and into the metro area to reach other locations. Historically, businesses have had to convert their data to a different transport protocol. As the need to extend, connect and communicate has grown, businesses have asked, "If Ethernet can support me in the LAN, why can't it support me in the Metro Area Network (MAN) without sacrificing the level of performance I've come to expect from SONET? It's a great question, and we wondered the same thing. Our answer - it can!

You can get the best of both worlds - the simplicity and flexibility of Ethernet with the resiliency and reliability of a SONET infrastructure with Electric Lightwave's Ultra Ethernet - MAN.

Ultra Simple

You connect with a standard Ethernet interface. The same connections you deploy in your LAN environment can now extend into the MAN. The Ultra Ethernet - MAN service is transparent to your protocol, so your locations appear as if they were part of the same network.

Ultra Fast

Bandwidth speeds range from 10 Mbps to 1000 Mbps. That's a lot of speed.

Ultra Flexible

We offer granular bandwidths between 10 Mbps to 1000 Mbps. That means we can shape our service to meet your needs. You can order the bandwidth you need. And if your needs grow? We've got you covered. We can increase your bandwidth over the same interface. It can be done quickly - without multiple service visits or customer equipment changes.

Ultra Reliable

Concerned about the performance of your service? We understand. That's why we provide you with guaranteed and dedicated bandwidth. It's your bandwidth. You shouldn't have to share it with someone else. Ultra Ethernet - MAN provides you access to your total bandwidth all the time.

To make sure your service stays up, we have deployed carrier class Ethernet over SONET infrastructure. Diversely routed optical connections are self-healing and provide the resiliency and security required for your most mission critical applications. And, our 1+1 protected Ethernet port option delivers an extra level of performance.

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EXPEDIENT

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ETHERNET TECHNOLOGY

For more than 25 years, Ethernet has been in use in local area networks (LAN) and has since become the most widely-used networking protocol. Primarily attributable to its low implementation cost and reliability, its penetration has grown to the point that nearly all traffic on the Internet traverses an Ethernet connection.

HIGH-SPEED ETHERNET SERVICES

When The Institute of Electrical and Electronics Engineers first designated Ethernet the 802.3 standard, networks were deployed with a coaxial cable structure and were subject to distance sensitivity. Today's technology allows Ethernet to be delivered over more efficient transport methods like category 5 twisted pair which use frequency transmission or fiber optic cables which use light transmission. Both are capable of transporting significantly more data over longer distances.

With the proliferation of the Internet and the advent of network intensive applications, Ethernet quickly rose to the occasion within the LAN, but became very costly in a WAN environment when multiple sites were to be connected.

That is, until now.

Operating at speeds of 10, 100 and 1000Mbps, industry standardization on Ethernet has enabled an extension of the LAN to distances not previously available. Expedient now delivers high-speed Ethernet services across town and across the country to satisfy the most demanding network capacity requirements.

NETWORK ADVANTAGES

AFFORDABILITY

From Internet Access to IP Long Distance to VPNs, Expedient's Ethernet-based solutions deliver savings of up to 50% and more compared to traditional telecommunications services capacity. Up to 1 Gbps-one billion bits of data per second.

RELIABILITY

Expedient's network is provisioned from a redundant ring, unlike many T1 and xDSL connections which are delivered from a single point.

SCALABILITY

Expedient delivers 100 Mbps to every customer, ensuring the opportunity for burst usage and future growth. That's 60 times faster than a T1 and 260 times faster than a 384 Kbs xDSL line.

FLEXIBILITY

With Expedient's network technology, you purchase only the bandwidth you actually require in smooth 1 Mbps increments. There's no wasted capacity or unnecessary expense.

RAPID PROVISIONING

With Expedient, your organization can be provisioned and active in days rather than weeks at 100 Mbps from your initial sign-up. Expedient is the only provider capable of delivering this level of bandwidth this quickly and reliably.

Gigabit Internet Access
Ethernet Anywhere
LAN-to-LAN Connectivity
Business DSL
Residential Services

Data Centers

Colocation
Managed Backup
Premium Monitoring
Firewall
Business Continuity
Web Hosting
Exchange Email

Pittsburgh
Cleveland
Chicago (downtown)
Chicago (suburbs)
Boston



TRANSPORT SERVICES

Ethernet Transport

FiberNet's new Metro Ethernet Transport services provide dedicated, committed Ethernet bandwidth to build and connect networks with unprecedented scalability and provisioning flexibility. Now customers can utilize the world's most ubiquitous and cost-effective networking protocol to transport their traffic through FiberNet's extensive network reach.

FiberNet's Metro Ethernet Transport service scales appropriately with our customers' long term network growth: bandwidth can be secured in granular increments. Once a customer's Ethernet port on FiberNet's network is installed, customers who elect burstable usage-based service plans can obtain additional bandwidth by bursting above their committed information rate. Customers who elect flat rate billing plans can have their bandwidth usage raised remotely, at FiberNet's industry-leading intervals.

With one port on FiberNet's Ethernet Network, VLAN circuits can be configured to create point-to-point Ethernet private lines or point to multipoint connections for cost-effective Ethernet hubs or VPN networks. The connections formed with FiberNet's Metro Ethernet Transport service are ideal building blocks to access and deploy applications such as Dedicated Internet Access, VoIP, and Peering. FiberNet's Metro Ethernet Transport service is a native Ethernet network that transports Ethernet traffic in its native form, so installing these applications will also reduce deployment costs while providing the highest standards of reliability.

Benefits:

- **Scaleable, Granular Bandwidth**
 - 1000 Mbps for Gig E
 - 100 Mbps for Fast Ethernet
 - Full Line Rates: 100 and 1,000 Mbps
 - Lower Granularity on Request
- **Flexible Service Plans**
 - Burstable Billing
 - Flat Rate Billing
- **Multiple Services from One Port**
 - Tagged or Untagged VLANs
 - Point to Point
 - Multipoint to Multipoint
- **Rapid, Automated Provisioning**
 - 8 Days for On-Net Services
- **Reliability**
 - Full Protection through Rapid Spanning
 - Tree Protocol Protection, Diversity routed paths
- **Customer-Focused**
 - Robust Service Level Agreements
- **Accessible Customer Service**
 - 24/7, 365 days per year Network Monitoring

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tel: 212.405.6200
fax: 212.421.8860
figx.com



FIBERNET

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→ Delivering Carrier-Class Backhaul Services

"Our wireless network, and therefore our backhaul reliability, has substantial visibility the whole way up the company. They are the foundations that support our reputation and allow us to strengthen our brand."

FiberTower is entirely focused on deploying and operating facilities-based backhaul networks to deliver scalable, flexible and cost-effective transport services to wireless carriers. Customers can expect new service standards in backhaul, exceeding anything delivered through copper T1s. Those new standards include:

- Superior network availability, reducing outages by more than 60%
- Dedicated, local teams to deliver operational support
- Currently supporting both TDM and Carrier Ethernet technologies
- Significantly lower mean-time-to-repair (MTTR), reducing repair times by more than 70%
- On demand provisioning
- 24x7 network monitoring and visibility

Our networks are designed using our nationwide footprint of licensed spectrum and an optimal mix of wireless and fiber technologies. FiberTower treats backhaul as a mission critical component of its customers' wireless networks and every element of FiberTower's local field operation is focused on supporting that goal. Field operations teams understand the wireless business, and they are equipped to work with their customers on a friendly, collaborative basis. Business processes for contracting, facilities ordering and billing are structured to match the specific needs of each customer.

FiberTower provides its customers with complete, around-the-clock network visibility, although problems in the network are almost always detected by FiberTower's Network Operations Center (NOC) before being reported by the impacted customer.

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Transport Services

LEVEL 3 INTERCITY ETHERNET PRIVATE LINE AND LEVEL 3 METRO ETHERNET SERVICES

Level 3 Metro Ethernet — dedicated and switched — and Level 3 Intercity Ethernet Private Line services provide end-to-end connectivity to corporate enterprises across an extensive regional, national and international optical network.

Sophisticated Network Users Rely on Level 3 for Ethernet Services
Our portfolio of Level 3 Metro Ethernet — dedicated and switched — and Level 3 Intercity Ethernet Private Line services provide superior end-to-end connectivity to corporate enterprises within the 116 metropolitan markets across Level 3's extensive regional, national and international optical network. Backed by industry-leading customer service and operational excellence, Level 3 delivers Ethernet solutions to our most important users: our customers.

Service Details

- **Bandwidth options** —
 - 3 Mbps to 10 Gbps for Metro Ethernet dedicated service
 - 3 Mbps to 1 Gbps for Metro Ethernet switched service
 - 50 Mbps to 1 Gbps for Intercity Ethernet Private Line service
- **Diversity** — Provisioned as physically diverse, fully protected network services
- **Connectivity options** — Dedicated point-to-point and switched multi-point VLAN metro connectivity
- **Monitoring and management** — We provide 24 x 7 proactive monitoring and management

Benefits

Scalability

Purchase the amount of capacity that is best aligned with your requirements based on Level 3's numerous bandwidth options across our large service footprint.

Simplicity and cost-effectiveness

Simplify your network by treating all connected LANs, MANs and WANs as a single network across the metropolitan area. Further simplify and reduce capital costs by replacing legacy WAN interfaces and circuits with highly-efficient Ethernet ports and services.

High performance and availability

Connect to our fully redundant metro and intercity SONET-based network for reliable transport of very large application data sets, such as large CAD files, digital images or video streams, while supporting multiple high-bandwidth applications across the network, such as teleconferencing, network storage backup and retrieval, and media-rich content.

Adobe Acrobat 6.0 or later is required to view .pdf documents.

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LS Networks Launches Mid Band Ethernet Service (CitySpeed Ethernet) in Oregon

Adding to the success of LS Networks' state wide Ethernet service, the company is announcing today the ability to offer Ethernet First Mile access to small to medium Oregon businesses.

Portland, OR (PRWeb) April 22, 2007 -- Adding to the success of LS Networks' state wide Ethernet service, the company is announcing today the ability to offer Ethernet First Mile access to small to medium Oregon businesses.

LS Networks is using Hatteras Network's Mid-Band Ethernet solution to provide businesses, which currently don't have access to fiber, with access to metro Ethernet services over existing copper facilities. LS Networks will be able to connect more companies and build upon their Wide Area Ethernet (WAE) private networks. The WAE will deliver and aggregate advanced Ethernet services to retail and other business customers that are connected to the public network with copper. In addition, LS Networks is also leveraging the existing statewide optical network for backhaul and transport applications.

"While LS Networks is well known for our fiber solutions, it is not always cost-effective for the enterprise business space. Hatteras Networks' technology has enabled an alternate solution to bring the value of our services to a broader base of customers.," - said Michael Weidman President and CEO of LS Networks.

"This service is an excellent compliment to LS Networks existing Wide Area Ethernet service in the state of Oregon," said Rick Malone, Principal at Vertical Systems Group. "LS Networks is among the regional providers we're tracking due to the company's focus on delivering high-quality Ethernet services to enterprise customers."

"Mid-Band Ethernet solutions provide carriers with the opportunity to expand their offerings with higher-value Ethernet services to new business customers of any size," said Gary Bolton, Vice President of Marketing and PLM at Hatteras Networks. "By using Hatteras Networks' Mid-Band Ethernet solution, LS Networks is providing a compelling competitive offering to customers not currently connected to the fiber network."

We're pleased that LS Networks chose Hatteras HN series to supply rural Oregon business with Ethernet solutions," said Gary Bolton, Vice President of Marketing and PLM.

About LS Networks

LS Networks builds and manages SONET Fiber and other ethernet networks for businesses, hospitals, government, school districts, and communications carriers. Through its Oregon and Washington network of more than 45 switches and DWDM/SONET/Ethernet routers, LS Networks uses various access technologies for building business networks. (<http://www.lsnetworks.net>) Its network coverage reaches nearly 75% percent of Oregon business addresses. LS Networks' product suite of WAE, Ethernet over SONET, VLAN, Wavelength, TDM and IP services are available in over 43 Points of Presence (POPS) in over 26 Oregon cities. Telephone: 1-503-294-5300.

About Vertical Systems Group

Vertical Systems Group (<http://www.verticalsystems.com>) is recognized worldwide as a leading market research and strategic consulting firm specializing in defensible quantification of the networking industry.



About Hatteras

Hatteras Networks is redefining the way carriers think about Ethernet services. Hatteras Networks' Ethernet service edge solutions are leading Service Providers worldwide to a \$15 billion expansion of the Metro Ethernet market, which had previously been limited to the fiber footprint. Historically, T1s and E1s have been the fundamental building block for voice and data business services. Now, Service Providers can cost-effectively offer up to 45 Mbps Mid-Band Ethernet services over existing copper facilities, enabling businesses to migrate from legacy Frame Relay, ATM and T1/E1 connections to transparent Ethernet services for voice and data business connectivity, infrastructure backhaul and mobile wireless backhaul solutions.

ATTN: LS Networks news releases contain information that is accurate as of the date they are issued. Information contained in past news releases may become out of date and the company does not assume responsibility for updating information contained in past news releases.

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Met-Net

Scalable Bandwidth

A carrier-class Metro Ethernet Service Provider

About Met-Net

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Services

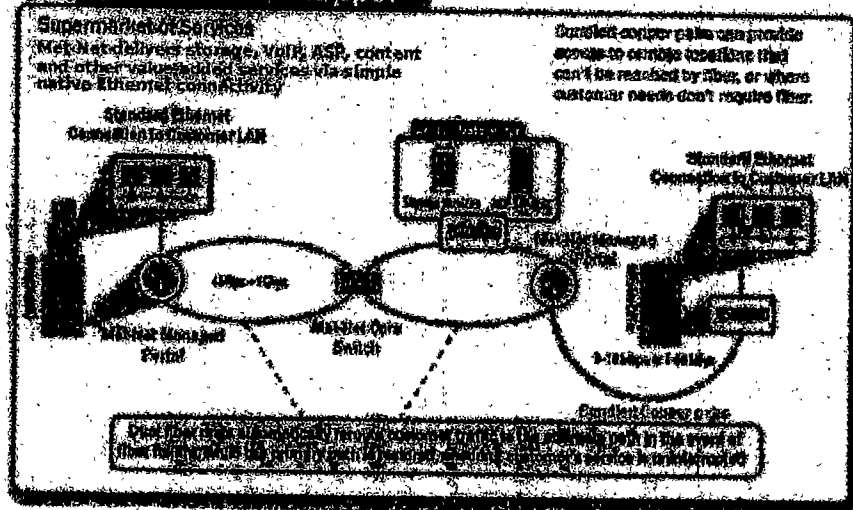
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Met-Net over Copper



> Met-Net NET

Our Met-Net NET service provides high speed Internet access to Tier One Internet backbones at transmission rates of 1 Mbps to 1 Gbps. [More]

> Met-Net MAN

The Met-Net MAN service provides high speed LAN-to-LAN connectivity between enterprise locations in a metro area at speeds from 1 Mbps to 1 Gbps over our Ethernet all fiber optic network. [More]

> Met-Net over Copper

This multi-megabit Ethernet technology promises an economical, business class service level solution for enterprise customers that require low cost connectivity. [More]

This multi-megabit Ethernet technology promises an economical, business-class service-level solution for enterprise customers that require low cost connectivity. Met-Net over Copper lets us satisfy business bandwidth needs by simply bonding multiple copper pairs together. The technology's Ethernet hand-off eliminates the need for costly equipment installation and engineering. Met-Net offers services in bandwidths between 1 Mbps and 10 Mbps using bonded T1 technology, and up to 60 Mbps using next generation DSL technology where available. This service offers throughput, reach and delay characteristics superior to other copper approaches. Its scalable flexibility allows the bonded pairs to deliver the bandwidth range desired by the customer.

PDF Datasheet (324KB)

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NEON Communications Achieves Metro Ethernet Forum Certification

WESTBOROUGH, Mass., June 19, 2007 (PRIME NEWSWIRE) – NEON Communications (AMEX:NGI) announced today that it is one of the first service providers to achieve both Metro Ethernet Forum (MEF) MEF-9 and MEF-14 certifications for its Ethernet service offering.

"As an active member of MEF, and a company that has incorporated MEF's best practices into our service offering, we felt it was important to have our Ethernet Private Line Service certified by Iometrix," said Kurt Van Wagenen, President and CEO of NEON Communications. "This certification provides customers a measure by which to evaluate alternatives in the marketplace and to make informed decisions," said Van Wagenen.

The MEF certification program, conducted by Iometrix, consisted of a series of lab tests and remote monitoring of NEON's service and network equipment. "Service Providers' Carrier Ethernet must pass no less than 414 individual test cases before being granted both MEF-9 and MEF-14 certifications," said Bob Mandeville, President of Iometrix testing labs.

"NEON has provided Ethernet Services to FactSet Research Systems, Inc. for many years. What this MEF certification means to FactSet is that we can trust that the service we are receiving from companies like NEON will conform to a specific set of standards, which is critical when using more than one service provider in a network application," said Jeff Young, Chief Technology Officer with FactSet Research Systems, Inc.

"Carrier Ethernet Service revenue is expected to continue to grow at double-digit rates over the next several years. The need for solid standards and supporting certification from a consensus of industry players is critical for the successful adoption of this technology," said Kevin Vachon, Chief Operating Officer of the Metro Ethernet Forum.

NEON's dedicated Ethernet service offering combines the flexibility of Ethernet with the proven reliability and high performance of SONET to create a secure, carrier-grade service. It is transported across NEON's owned and operated fiber optic infrastructure, providing unsurpassed circuit Quality of Service (QoS).

The MEF certification will be presented to NEON at a ceremony, which will take place at the NXTcomm show in Chicago, Ill. For more information on NEON's Ethernet Service call (508) 616-7842 or visit http://www.neoninc.com/pages/22_ethernet_private_line.cfm.

Forward-Looking and Cautionary Statements

Any statements contained in this press release that are not statements of historical fact, including statements about management's beliefs and expectations, are forward-looking statements and should be evaluated as such. The words "anticipates," "believes," "expects," "intends," "plans," "estimates," "targets," "projects," "should," "may," "will," and similar words and expressions are intended to identify forward-looking statements. Such forward-looking statements reflect, among other things, the Company's current expectations, plans, strategies, and anticipated financial results and involve a number of known and unknown risks, uncertainties, and factors that may cause actual results of the Company to differ materially from those expressed or implied by these forward-looking statements. These factors include, but are not limited to, the following: its history of operating losses and capital requirements; its ability to retain existing customers and attract new customers; its ability to achieve cost-savings and generate positive cash flow; risks associated with potential acquisitions and divestitures; and the other risks identified in the section entitled "Risk Factors" in the Company's Annual Report on Form 10-K for the year ended September 30, 2006, as well as in the other documents that the Company files from time to time with the Securities and Exchange Commission.

Many of these risks are beyond management's ability to control or predict. All forward-looking statements attributable to the Company or persons acting on behalf of the Company are expressly qualified in their entirety by the cautionary statements and risk factors contained in this press release and the Company's filings with the Securities and Exchange Commission. Because of these risks, uncertainties and assumptions, you should not place undue reliance on these forward-looking statements. Furthermore, forward-looking statements speak only as of the date they are made. Except as required under the federal securities laws or the rules and regulations of the SEC, the Company does not undertake any obligation to update or review any forward-looking information, whether as a result of new information, future events, or otherwise.